

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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In the Matter of

The Development of Operational,
Technical, and Spectrum
Requirements for Meeting
Federal, State and Local Public
Safety Agency Communication
Requirements Through the
Year 2010

) FEDERAL COMMUNICATIONS COMMISSION
) OFFICE OF SECRETARY

) WT Docket No. 96-86

) **DOCKET FILE COPY ORIGINAL**

To: The Commission

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**REPLY COMMENTS
OF
THE INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION
AND THE
INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, INC.**

The International Municipal Signal Association ("IMSA") and the International Association of Fire Chiefs, Inc. ("IAFC"), by their attorneys, pursuant to Section 1.415 of the Rules and Regulations of the Federal Communications Commission ("Commission or "FCC") respectfully submit these Reply Comments in response to Comments filed with the FCC regarding the Notice of Proposed Rule Making ("Notice")^{1/} adopted by the Commission in the above-styled proceeding.

1 61 Fed. Reg. 18538 (April 26, 1996).

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I. INTRODUCTION

1. IAFC is a voluntary, professional membership society. Its membership, comprised of approximately 10,000 senior Fire Service officials, is dedicated to the protection of life and property throughout the United States and abroad. IAFC is the major national professional association representing the interests of senior management in the Fire Service. The Fire Service is the largest provider of emergency response medical service in the United States.

2. IMSA is a non-profit organization dedicated to the development and use of electrical signaling and communications systems in the furtherance of public safety. IMSA members include representatives of federal, state, county, city, township and borough governmental bodies, and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to activities pertaining to electrical engineering, including the Public Safety use of radio technology.

3. IAFC and IMSA are recognized as the frequency coordinating committee for the Fire Radio Service and the Emergency Medical Radio Service ("EMRS") and, in conjunction with National Association of Business and Educational Radio, Inc. (NABER), constitute the recognized coordinating committee for the Special Emergency Radio Service ("SERS").

II. BACKGROUND

4. As noted in their Comments, members of IAFC and IMSA participated in all Subcommittees of the Public Safety Wireless Advisory Committee ("PSWAC") and are familiar with the options and issues facing the FCC as it develops regulations and policies to meet the present and future wireless communications requirements of the public safety community. IAFC/IMSA generally agree with PSWAC's findings and support PSWAC's Final Report.

III. REPLY COMMENTS

A. The FCC Should Adopt Its Proposed Public Safety Definition.

5. The Commission received almost fifty Comments from parties representing mostly the public safety and the "public service" communities. While an overwhelming amount of parties agreed with and supported the general findings of PSWAC's Final Report, several parties urged the Commission to be included in the definition of "public safety."

IMSA/IAFC take this opportunity to reiterate their support for adoption of the public safety definitions proposed by the FCC in the Notice and by PSWAC in the Final Report.

6. Specifically, the American Automobile Associations (AAA) urged the Commission to "expand the definition of public safety to include a 'Public Service' eligibility classification" which would encompass the

emergency road services provided by AAA.^{2/} Similarly, the Alarm Industry Communications Committee (AICC) states that it "has always believed that the services that the central station [alarm monitoring] industry provides should more properly be classified as public safety."^{3/} While IAFC/IMSA do not deny that entities like AAA, central alarm monitoring companies, and others provide valuable services to their customers, there is a material difference between these entities and those who render first responder service to the public at large.

7. First responders constitute those like the fire, emergency medical and police services whose daily mission is to save lives and property. IMSA/IAFC agree with the Association of Public-Safety Communications Officials-International, Inc. (APCO) and the Minnesota Department of Transportation (MDOT) that the definition of public safety begins with the traditional first responders whose duties involve the protection of life and property on a daily basis on behalf of the public generally.^{4/} While APCO and MDOT note that the public safety definition also includes other vital government services which protect and service public

2 Comments of the American Automobile Association (AAA), p. 2.

3 Comments of the Alarm Industry Communications Committee (AICC), p. 2.

4 Association of Public-Safety Communications Officials-International, Inc. (APCO), p. 5; Minnesota Department of Transportation (MDOT), p. 5.

welfare,^{5/} IAFC/IMSA urge the Commission to focus on the communication needs of the traditional emergency first responders.

B. Commercial Providers Cannot Satisfy the Wireless Communications Needs of Public Safety Agencies.

8. AMSC and Nextel Communications, Inc. ("Nextel") filed Comments touting the ability of their services to fulfill public safety needs. IMSA/IAFC remind the Commission that commercial providers have not and cannot meet the mission-critical communications demands of public safety providers. On-demand priority access is an essential requirement of the public safety community. While public safety entities do subscribe to commercial services, generally for administrative traffic as circumstances warrant, IAFC/IMSA reiterate their position, as stated in their Comments — the Commission must not mandate the use of commercial providers but permit individual public safety providers to determine the extent to which commercial providers can fulfill their communications requirements.

C. Public Safety Frequency Management Should Remain Under FCC and Private Sector Control.

9. In its Comments, the Federal Law Enforcement Wireless Users Group proposed a study to evaluate the benefits of consolidating all public safety frequency

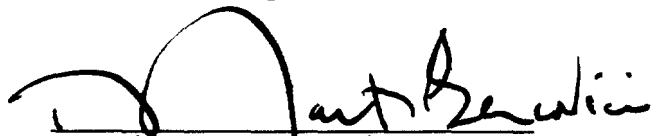
5 Id.

management under NTIA.^{6/} IMSA/IAFC urge the Commission not to modify the manner by which public safety frequency management is organized. IAFC/IMSA reiterate that current public safety frequency coordinators are neutral third-parties, have well served their constituents and the FCC, and should be recognized to continue to fulfill their assigned functions. Furthermore, the experience of each current public safety frequency coordinator make it the most knowledgeable organization with respect to the wireless communications use and needs of the entities it serves. It would not be logical for the Commission to abruptly change this process in the absence of failures of the present system.

WHEREFORE, THE PREMISES CONSIDERED, IMSA/IAFC

respectfully urge the Federal Communications Commission to act in a manner fully consistent with the views expressed herein.

Respectfully submitted,



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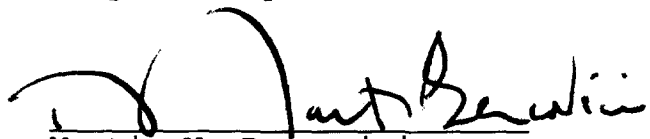
Dated: December 19, 1996

6 Federal Law Enforcement Wireless Users Group, p. 5.

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